

REMARKS

Claim 20 is pending in the present application. Reconsideration in view of the following remarks is respectfully requested. Applicants respectfully submit that this response is fully responsive to the Office Action dated August 18, 2004.

As to the Merits

As to the merits of this case, the Examiner sets forth the following rejection:

Claim 20 stands rejected under 35 U.S.C. §102 (e) as being anticipated by Kasukabe et al. (US Patent No. 6,617,863).

This rejection is respectfully traversed.

It is respectfully submitted that this rejection is improper since Kasukabe et al. (US Patent No. 6,617,863) fails to qualify as prior art under 35 U.S.C. §102.

More specifically, Kasukabe et al. (US Patent No. 6,617,863) have a filing date of April 2, 1999, which falls after the foreign priority date of December 22, 1998 for the present invention.

Moreover, in order to perfect the filing date of the present application and thereby establish the foreign priority date of December 22, 1998 as the effective filing date for the present applicants, Applicants enclose herewith a verified English translation of the Japanese

Response under 37 C.F.R. §1.111
Attorney Docket No. 990675B
Serial No. 10/670,377

application JP 10-365587 of the present application. Accordingly, withdrawal of the rejection of claim 20 based on Kasukabe et al. (US Patent No. 6,617,863) is respectfully requested.

For at least the foregoing reasons, it is believed that this application is now in condition for allowance. If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Thomas E. Brown
Attorney for Applicants
Registration No. 44,450

TEB/jl

1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036
(202) 822-1100

Attachment: Verified English translation of the Japanese application JP 10-365587